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Security Council

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# Resolution 1879 (2009)

## Adopted by the Security Council at its 6167th meeting, on 23 July 2009

*The Security Council*,

*Recalling* its resolutions 1864 (2009), 1825 (2008), 1796 (2008) and 1740 (2007), and the statement of its President of 5 May 2009 (S/PRST/2009/12),

*Reaffirming* the sovereignty, territorial integrity and political independence of Nepal and its ownership of the implementation of the Comprehensive Peace Agreement and subsequent agreements,

*Recalling* the signing on 21 November 2006 by the Government of Nepal and the Communist Party of Nepal (Maoist) of a Comprehensive Peace Agreement, and the stated commitment of both parties to find a permanent and sustainable peace, and commending the steps taken to date to implement the Agreement,

*Acknowledging* the strong desire of the Nepalese people for peace and the restoration of democracy and the importance in this respect of the implementation of the Comprehensive Peace Agreement and subsequent agreements by the relevant parties,

*Expressing* its continued readiness to support the peace process in Nepal in the timely and effective implementation of the Comprehensive Peace Agreement and subsequent agreements, in particular the 25 June 2008 Agreement, as requested by the Government of Nepal,

*Welcoming* the progress the Constituent Assembly has since made towards writing a new democratic constitution of Nepal within the stipulated time frame since the successful conclusion of the Constituent Assembly elections on 10 April 2008,

*Noting with concern* recent developments, and encouraging renewed and sustained efforts to create a unified approach among the political parties, including through the proposal for a high-level consultative mechanism as a forum for discussion on critical peace process issues,

*Calling upon* the Government of Nepal and all political parties to work together to ensure the early reconstitution and effective working of the Special Committee for the supervision, integration and rehabilitation of Maoist army personnel, drawing upon the support of the Technical Committee,

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*Echoing* the Secretary-General's call for all parties in Nepal to move forward swiftly in the implementation of the agreements reached, *noting* the Secretary-General's assessment that the United Nations Mission in Nepal (UNMIN) will be well placed to assist in the management of arms and armed personnel in accordance with the 25 June 2008 Agreement between the political parties, and recognising UNMIN's willingness to assist the parties in this, as requested, in order to achieve a durable solution,

*Welcoming* the report of the Secretary-General of 14 July 2009 on UNMIN,

*Recalling* the completion of two phases of the verification process and *welcoming* continuing assistance with the management of arms and armed personnel of both sides in accordance with resolution 1740 (2007) and in line with the provisions of the Comprehensive Peace Agreement, *noting* the importance of a durable long term solution in helping to create the conditions for completion of UNMIN's activities, *noting* also in this regard the need to address outstanding issues without further delay, and *welcoming in this regard* the decision by the Government of Nepal and the Unified Communist Party of Nepal (Maoist) formally to launch the discharge and rehabilitation process for the disqualified Maoist army personnel, including minors, and *calling upon* all political parties to implement this process fully and expeditiously, and for continued reporting on this issue as required under resolution 1612 (2005),

*Recalling* that with the successful holding of the Constituent Assembly elections, some of the elements of the mandate of UNMIN as set out in resolution 1740 (2007) have already been accomplished,

*Welcoming* the action plan which the Government of Nepal has committed to prepare, the implementation of which will facilitate UNMIN's withdrawal from Nepal,

*Taking note* of the Government of Nepal's letter to the Secretary-General of 7 July 2009 (S/2009/360), which recognises UNMIN's contribution and requests an extension of the mandate of UNMIN for six months, and further taking note of the commitments of the Government of Nepal to reconstitute the Special Committee strengthened with the support of the Ministry of Peace and Reconstruction, and also for beginning the process of integration and rehabilitation of Maoist army personnel,

*Recognizing* the need to pay special attention to the needs and the role of women, children and traditionally marginalized groups in the peace process, as mentioned in the Comprehensive Peace Agreement and resolution 1325 (2000),

*Recognizing* the need to address impunity and to promote and protect human rights through building the capacity of independent national institutions,

*Recognizing* that civil society can play an important role in democratic transition and conflict prevention,

*Expressing appreciation* for the contribution of the Secretary-General's Representative and the efforts of her team in UNMIN, and the United Nations Country Team, including the Office of the High Commissioner for Human Rights which is monitoring human rights at the request of the government, and *stressing* the need for coordination and complementarity of efforts between the mission and all the United Nations actors in the mission area, particularly in order to ensure continuity, as the mandate comes to an end,

1. *Decides* in line with the request from the Government of Nepal and the Secretary-General's recommendations, to renew the mandate of UNMIN as established under resolution 1740 (2007) until 23 January 2010, taking into account the completion of some elements of the mandate, the ongoing work on the monitoring and the management of arms and armed personnel in line with the 25 June Agreement 2008 among the political parties, which will support the completion of the peace process;

2. *Calls upon* all parties to take full advantage of the expertise and readiness of UNMIN, within its mandate, to support the peace process to facilitate the completion of outstanding aspects of UNMIN's mandate by 23 January 2010;

3. *Concurs* with the Secretary-General's view that the current monitoring arrangements were conceived as temporary measures, rather than long-term solutions, and cannot be maintained indefinitely, and *underlines* the need for the Government of Nepal to consider necessary measures to end the present monitoring arrangements;

4. *Requests* the Secretary-General to report to the Security Council by 30 October 2009 on the implementation of this resolution, and progress in creating the conditions conducive to completion of UNMIN's activities by the end of the current mandate, including the implementation of commitments made in the Government of Nepal's letter of 7 July 2009;

5. *Calls upon* the Government of Nepal to continue to take the necessary decisions to create conditions conducive to completion of UNMIN's activities by the end of the current mandate, including through implementation of the 25 June 2008 Agreement, in order to facilitate UNMIN's withdrawal from Nepal;

6. *Welcomes* progress achieved so far, and calls upon all political parties in Nepal to expedite the peace process, and to work together in a spirit of cooperation, consensus and compromise in order to continue the transition to a durable long-term solution to enable the country to move to a peaceful, democratic and more prosperous future;

7. *Requests* the parties in Nepal to take the necessary steps to promote the safety, security and freedom of movement of UNMIN and associated personnel in executing the tasks defined in the mandate;

8. *Decides* to remain seized of the matter.